

EXHIBIT B

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION**

DANIEL FRANK, *et al.*,
on behalf of themselves and all others
similarly situated,

Plaintiffs,

V.

YARDI SYSTEMS, INC., *et al.*,

Defendants.

Case No. 8:24-cv-00617-JVS-DFM

**DECLARATION OF MICHAEL
GAETA IN SUPPORT OF
DEFENDANTS' OMNIBUS
MOTION TO DISMISS**

**DECLARATION OF MICHAEL GAETA IN SUPPORT OF OMNIBUS MOTION TO
DISMISS**

1 **DECLARATION OF MICHAEL GAETA**

2 I, Michael Gaeta, hereby declare as follows:

3 1. I am a Senior Director in the Programming Department of the Residential
4 Business Unit and lead the software development of the revenue management product
5 called Revenue IQ (previously RENTmaximizer) at Yardi Systems, Inc. (“Yardi”), a
6 Defendant in the above-captioned matter.

7 2. I make this Declaration in support of Defendants’ Omnibus Motion to Dismiss
8 the First Amended Class Action Complaint. I have personal knowledge of the facts
9 contained in this Declaration, and if called upon as a witness, could testify competently to
10 the matters set forth herein.

11 3. To use Revenue IQ, a customer must license the product from Yardi. Licenses
12 are based on a specific number of units, so only specific properties can be enabled to use
13 Revenue IQ, based on the customer’s license.

14 4. Once licensed, Revenue IQ must be set up for each individual property that
15 will use it, and each property that will use Revenue IQ is individually configured
16 according to the customer’s specific business needs and goals for that property.

17 5. It is Yardi’s practice in the ordinary course of its business to retain and store
18 copies of both its licensing agreements with customers, including Revenue IQ, and to
19 maintain records of the properties for which Revenue IQ was set up.

20 6. Revenue IQ, formerly RENTmaximizer, is the only Yardi product that
21 generates pricing recommendations for multifamily rental units, and it is the only Yardi
22 product that has ever generated pricing recommendations for multifamily rental units.

23 7. Yardi’s records reflect that the apartment community located at 3352 Chelsea
24 Park Lane, Peachtree Corners, GA (“3352 Chelsea Park Lane property”) was never set up
25 for Revenue IQ, and therefore Revenue IQ was never used at the 3352 Chelsea Park Lane
26 property for any purpose.

1 8. Yardi's records reflect that the apartment community located at 1818 S. State
2 College Blvd., Anaheim, CA ("1818 Platinum Triangle property") was never set up for
3 Revenue IQ, and therefore Revenue IQ was never used at the 1818 Platinum Triangle
4 property for any purpose.

5 9. Yardi's records reflect that the apartment community located at 2200 John
6 Muir Parkway, Hercules, California ("The Grand property") was never set up for Revenue
7 IQ, and therefore Revenue IQ was never used at The Grand property for any purpose.

8 10. Yardi's records reflect that the apartment community located at 733 N. Kings
9 Road, Los Angeles, California ("The Blake LA. property") was never set up for Revenue
10 IQ, and therefore Revenue IQ was never used at The Blake LA. property for any purpose.

11 11. Yardi's records reflect that the apartment community located at 1390 Market
12 Street, San Francisco, California ("Fox Plaza property") was never set up for Revenue IQ,
13 and therefore Revenue IQ was never used at the Fox Plaza property for any purpose.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
September 30, 2024, in Cleveland, Ohio. / /

Ohio.

Michael Gaeta